

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED
08/28/2018
Clerk of the
Appellate Courts

IN RE: HOMER L. CODY, BPR #010755
An Attorney Licensed to Practice Law in Tennessee
(Shelby County)

No. M2018-01478-SC-BAR-BP
BOPR No. 2017-2770-9-WM

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Homer L. Cody on September 19, 2017; upon the Response to Petition for Discipline filed by Mr. Cody on October 20, 2017; upon the Findings of Fact, Conclusions of Law and Judgment entered on June 7, 2017; upon service of the Findings of Fact, Conclusions of Law and Judgment on Mr. Cody by the Executive Secretary of the Board on June 8, 2018; upon the Board's Application for Assessment of Costs filed April 13, 2018; upon the Findings and Judgment for Assessment of Costs entered June 7, 2018; upon service of the Findings and Judgment for Assessment of Costs upon Mr. Cody by the Executive Secretary of the Board on June 8, 2018; upon consideration and approval by the Board on June 8, 2018; upon expiration of the time for appeal; and upon the entire record in this cause.

From all of which the Court approves the Findings of Fact, Conclusions of Law and Judgment of the Hearing Panel and adopts the Hearing Panel's Judgment recommending a disbarment.

On July 27, 2015, Mr. Cody was suspended by this Court for 180 days pursuant to Tenn. Sup. Ct. R. 9, § 4.2 (2006) (Case No. M2014-02003-SC-R3-BP). On July 7, 2016, Mr. Cody was suspended by this Court for one (1) year pursuant to Tenn. Sup. Ct. R. 9, § 4.2 (2006) (Case No. M2016-01318-SC-BAR-BP). On August 11, 2017, Mr. Cody was suspended by this Court for two (2) years pursuant to Tenn. Sup. Ct. R. 9, § 12.2 (2014) (Case No. M2017-01498-SC-BAR-BP). To date, Mr. Cody has not requested, nor been granted, reinstatement.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT THAT:

- (1) Pursuant to Tenn. Sup. Ct. R. 9, § 12.1, Homer L. Cody is disbarred.

(2) Additionally, Mr. Cody shall comply in all aspects with Tenn. Sup. Ct. R. 9, §§ 28 and 30.4, regarding the obligations and responsibilities of disbarred attorneys and the procedure for reinstatement. Prior to seeking reinstatement, Mr. Cody must meet all CLE requirements and pay any outstanding registration fees including those due from the date of suspension/disbarment until the date of reinstatement.

(3) Pursuant to Tenn. Sup. Ct. R. 9, § 28.1, this Order shall be effective upon entry.

(4) Further, the suspension of July 27, 2015, in Case No. M2014-02003-SC-R3-BP, the suspension of July 7, 2016, in Case No. M2016-01318-SC-BAR-BP, and the suspension of August 11, 2017, in Case No. M2017-01498-SC-BAR-BP, shall remain in effect pending further orders of this Court.

(5) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d), Mr. Cody shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$1,025.49 and shall pay to the Clerk of this Court the costs incurred herein, within ninety (90) days of the entry of this Order, for all of which execution may issue if necessary.

(6) The Board of Professional Responsibility shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. 9, § 28.11.

PER CURIAM

HOLLY KIRBY, J., not participating.